



CRL MP(MD). Nos.15146 & 15148 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : **25/02/2026**

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD).Nos.15146 & 15148 of 2025

in

CRL RC(MD)No.1367 of 2025

M.Krishnakumar

... Petitioner

Vs

State of Tamilnadu

Rep. by Inspector of Police,

Vadaseri Police Station,

Kanyakumari District.

Crime No.321/2016

... Respondent

PRAYER in Crl.M.P.(MD).No.15146 of 2025 :-

To enlarge him on bail by suspending the sentence imposed by learned Additional District Sessions Judge, Fast Track Court, Nagercoil, Kanyakumari District in Crl.A.No.157/2017 dated 28.08.2025 by confirming the judgment on the file of the learned Principal Assistant Sessions Judge, Nagercoil, Kanyakumari District in S.C.No.112 of 2017 vide his judgement dated 09.10.2017 pending disposal of the main Criminal Revision Case.



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PRAYER in Crl.M.P.(MD).No.15148 of 2025 :-

To exempt me from surrendering before the trial court in pursuance to the judgment delivered by the learned Additional District Sessions Judge, Fast Track Court, Nagercoil, Kanyakumari District in Crl.A.No.157/2017 dated 28.08.2025 by confirming the judgment on the file of the learned Principal Assistant Sessions Judge, Nagercoil, Kanyakumari District in S.C.No.112 of 2017 vide his judgement dated 09.10.2017 pending disposal of the main criminal revision.

For Petitioner : Mr.R.Anand

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.side)

ORDER

Heard Mr.R.Anand, learned Counsel for petitioner and Mr.P.Kottaichamy, learned Government Advocate (Crl.side) appearing for respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed on petitioner by Principal Assistant Sessions Judge, Nagercoil, Kanyakumari District, in S.C.No.112 of 2017 vide order dated 09.10.2017, which was confirmed by learned Additional District and Sessions Judge (Fast Track Court), Nagercoil,



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Kanayakumari District in Crl.A.No.157 of 2017, vide order dated 28.08.2025 and to exempt the petitioner from surrendering before the Court below.

3. Learned Counsel for petitioner would submit that petitioner was convicted by Principal Assistant Sessions Judge, Nagercoil, Kanyakumari District, for offences punishable under Sections 326,307, of IPC in S.C.No.112 of 2017 dated 09.10.2017 and sentenced as follows:

(i) to undergo three years Rigorous Imprisonment and to pay a fine of Rs.1,000/-, in default to undergo three months simple imprisonment for offence under section 326 of IPC.

(ii) to undergo seven years Rigorous Imprisonment and to pay a fine of Rs.3,000/-, in default to undergo three months simple imprisonment for offence under section 307 of IPC.

4. Aggrieved, petitioner filed Criminal Appeal No.157 of 2017, before Additional District and Sessions Judge (Fast Track Court), Nagercoil, Kanayakumari District and the lower Appellate Court vide



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order dated 28.08.2025, dismissed the appeal and confirmed the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Case in CrI.RC(MD)No.1367 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

5. Learned Counsel for petitioner would submit that this Court vide order dated 13.02.2026 in CrI.RC(MD).No.1367 of 2025 directed the petitioner to surrender before Principal Assistant Sessions Court, Nagercoil at Kanyakumari District on or before 20.02.2026. In compliance of the above order, petitioner had surrendered before the Principal Assistant Sessions Court, Nagercoil at Kanyakumari District on 18.02.2026, and the same was confirmed by learned Government Advocate (CrI.side).

6. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration. Hence, he prayed for granting suspension of sentence and bail to petitioner.



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7. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of above Criminal Revision:

i) Petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Principal Assistant Sessions Judge, Nagercoil, Kanyakumari District.

ii) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

iii) Petitioner shall appear and sign before the Principal Assistant Sessions Judge, Nagercoil, Kanyakumari District, on the first working day of every month at 10.30 a.m., until the disposal of revision;

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



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iv) In case, petitioner is not able to appear before the said Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the said Court on any other day in lieu of the date of his absence, as directed by the said Court.

8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

25.02.2026

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To

1. The Principal Assistant Sessions Judge,
Nagercoil, Kanyakumari District.
2. The Additional District and Sessions Judge (Fast Track Court),
Nagercoil, Kanyakumari District.
3. The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
5. Officer-in-charge,
Central Prison,
Palayamkottai,
Tirunelveli.



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MOHAMMED SHAFFIQ, J

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in
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Date : 25/02/2026
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